

Senate File 2027 - Introduced

SENATE FILE 2027

BY SODDERS

A BILL FOR

1 An Act relating to harassment of minors, and providing
2 penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **708.7A Harassment of a minor.**

2 1. *a.* A person eighteen years of age or older commits
3 harassment of a minor when the minor is fifteen years of age
4 or younger and the person purposefully and without legitimate
5 purpose, has personal contact with the minor after the parent
6 or guardian of the minor has prohibited that person from having
7 contact with the minor.

8 *b.* In order for the prohibition to apply, a parent or
9 guardian must prohibit a person from having contact with a
10 child by filling out a report with local law enforcement and
11 having law enforcement deliver that report to the person. The
12 report shall include the name of the child and the name of the
13 person who is prohibited from having contact with the child,
14 and the parent or guardian shall sign and date the report. Law
15 enforcement may refuse to deliver the report or enforce the
16 prohibition of contact if a law enforcement officer, within
17 that officer's discretion, believes that the report filed by
18 the parent or guardian is frivolous or spurious in nature.

19 *c.* For purposes of this section:

20 (1) "*Legitimate purpose*" in relation to personal contact
21 with a child includes but is not limited to a person's contact
22 with the child due to the nature of the person's profession,
23 the person's residence, or the person's familial relationships.

24 (2) "*Personal contact*" means the same as defined in section
25 708.7.

26 2. *a.* A person commits harassment of a minor in the first
27 degree when the person commits harassment against a minor
28 and has previously been convicted of a sex offense against a
29 minor as defined in section 692A.101, subsection 28, or has
30 been convicted of an offense specified in the laws of another
31 jurisdiction or prosecuted in federal, military, or foreign
32 court that is comparable to an offense listed in section
33 692A.101, subsection 28.

34 *b.* Harassment of a minor in the first degree is a serious
35 misdemeanor.

1 3. *a.* Any other act of harassment of a minor is harassment
2 of a minor in the second degree.

3 *b.* Harassment of a minor in the second degree is a simple
4 misdemeanor.

EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to the harassment of minors by a person who
9 has been prohibited from having contact with the minor by that
10 minor's parent or guardian.

11 The bill specifies that a person who purposefully, without
12 a legitimate purpose, has personal contact with a minor after
13 the minor's parent or guardian has prohibited that person from
14 having contact with the minor commits harassment of a minor.
15 For purposes of the bill, the minor must be 15 years or younger
16 and the alleged perpetrator must be 18 years or older. The
17 bill provides that a parent or guardian prohibits contact with
18 the minor by filling out a report with local law enforcement
19 and having law enforcement deliver that report to the person
20 with whom the parent or guardian is prohibiting contact. Law
21 enforcement may refuse to deliver or enforce the report if law
22 enforcement believes it is frivolous.

23 The bill specifies that "personal contact" means an
24 encounter in which two or more people are in visual or physical
25 proximity to one another, but does not require touching or
26 communication.

27 A person who violates this bill commits a simple
28 misdemeanor. A simple misdemeanor is punishable by
29 confinement, not to exceed 30 days and a fine of at least \$65
30 but not more than \$625.

31 A person who violates this bill and has previously been
32 convicted of a sex offense against a minor or a comparable
33 offense commits a serious misdemeanor. A serious misdemeanor
34 is punishable by confinement not to exceed one year and a fine
35 of at least \$315 but no more than \$1,875.